

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 4:15-CR-298
	:	
v.	:	(Chief Judge Conner)
	:	
WYATT ROBERT YANNEY	:	

PRELIMINARY ORDER OF FORFEITURE

IT IS HEREBY ORDERED THAT:

1. As a result of the guilty plea to the Indictment and Stipulation of Consent to Forfeiture entered by defendant in which the Government sought forfeiture pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853 and 28 U.S.C. § 2461(c), the defendant shall forfeit to the United States the following:

- a. All property involved in or traceable to offenses involving 18 U.S.C. § 924 and 21 U.S.C. § 841;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained directly or indirectly, as a result of such violations involving such offenses; and
- c. Any property, real or personal, used or intended to be used in any manner or part to commit or facilitate the commission of the offenses involving 18 U.S.C. § 924 and 21 U.S.C. § 841.

2. The court has determined, based upon the defendant's guilty plea, that the following property is subject to forfeiture and that the government has established the requisite nexus between such property and such offenses.

- a. approximately \$900.00 in United States currency;
- b. Smith & Wesson, .40 caliber pistol, Model SW40VE, Serial Number DUT0628;
- c. Taurus, .45 caliber pistol, Model PT1911 w/clip, Serial Number NGW71002;
- d. American Tactical Imports, Omni Hybrid Auto, Serial Number AN011677, with case;
- e. Desert Eagle Magnum Research, .50 caliber, Serial Number DK0022547, with case, not including optics;
- f. Zastava Serbia, 7.62 XMM Caliber, Serial Number PAP041138; and
- g. Mossburg, Model 935 Shotgun, 12 gauge, Serial Number AM025714.

3. After the disposition of any motion filed under Fed. R.Crim. P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

4. The United States shall have clear title to the subject property following the court's disposition of all third-party interests, or, if none, following the expiration of the period provided in 21 U.S.C. § 853(n) for the filing of third party petitions.

5. Any claim filed with the seizing agency in an administrative proceeding and any petition filed in a related civil action are **NOT** a substitute for the claim that must be filed in this action which meets the requirements of and within the time allowed under 21 U.S.C. § 853(n), as described above.

6. Upon adjudication of all third-party interests, the court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

7. The court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

8. The Clerk of Court shall forward four certified copies of this Order to Assistant U.S. Attorney James T. Clancy, U.S. Attorney's Office, Middle District of Pennsylvania.

SO ORDERED this 22nd day of April, 2016.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania